



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, March 2, 2011 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	April 6, 2011

MEMBERS PRESENT

Kenneth Freemark, RA, Professional Member, President
Joseph Schorah, Public Member, Secretary
Kevin Wilson, RA, Professional Member
John Mateyko, RA, Professional Member
Peter H. Jennings, RA, Professional Member
Elizabeth Happoldt, Public Member
Brian Lewis, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Andrew Kerber, Deputy Attorney General
Nicole M. Williams, Administrative Specialist II

ABSENT

Prameela Kaza, Public Member

OTHERS PRESENT

Nancy Payne of the Delaware AIA

1.0 Call to Order

Mr. Freemark called the meeting to order at 1:33 p.m.

2.0 Review and Approval of Minutes

Mr. Jennings advised to add his name to the members present. Mr. Mateyko made a motion to approve the minutes with a correction, seconded by Mr. Schorah. Motion carried unanimously.

3.0 Unfinished Business

Updated Consent Agreement for Complaint 07-01-09: Stanley Minka

The Board reviewed the updated consent agreement which includes at \$300 monetary fine. Mr. Wilson made a motion, seconded by Mr. Mateyko. Motion carried unanimously.

Status of Complaint 07-03-09 – Closed by AG's office

Mr. Freemark advised the Board that the complaint was closed by the AG's office. Ms. Williams advised that the AG's office advised that since there was not any substantial evidence to prosecute the case, therefore it was dismissed.

Some of the Board members advised that they have assigned complaints in which they have not yet been contacted regarding the complaint. Mr. Schorah suggested that the investigators and/or the AG's office follow up in regards to providing additional information as to why the complaints have been dismissed or closed by the AG's office. Mr. Kerber advised that he will follow up with the AG's office again.

Mr. Lewis advised that he foresees that there is no action being taking in regards to these complaints of unlicensed activity when the cases are not being prosecuted. He further advised that the Board appears to not have a function when it comes to complaints when majority of the complaints are being dismissed.

The Board further discussed.

Mr. Kerber clarified that the State prosecuting attorney for the Board of Architects and for the Delaware Association of Professional Engineers (DAPE) is the same person.

Ms. Happoldt advised that there appears to no Board member training in regards to filing an initial complaint so that the Board member will know what information is vital and key to the complaint process.

Mr. Schorah suggested that there needs to be more communication in the entire complaint process between the Board, the investigators and the AG's office. The Board concurred.

The Board further discussed.

Mr. Freemark requested to have the investigators meet with the Board to discuss the complaint process and issues that the Board has.

Sussex County Code Letter – Mr. Kerber

Mr. Freemark made a motion to amend the agenda to add discussion of the Sussex County Code letter to the agenda, seconded by Mr. Wilson. Motion carried unanimously.

Mr. Kerber advised that the Board had reviewed a previous letter regarding this matter and has revised the letter for the Board to review once again. Mr. Kerber stated the Board has two letters before them for review; Mr. Kerber's original draft and the revised draft that includes revisions suggested by Mr. Jennings. Mr. Jennings clarified for the Board his reasoning for the suggestions he made to the letter regarding the architect law with respect to "the exceptions" of section 303(b).

Mr. Freemark made a motion to approve the letter revised by Mr. Jennings, seconded by Mr. Wilson. Motion carried unanimously.

4.0 New Business

Review of Certificate of Authorization Applications – See attached Listing

Ms. Happoldt made a motion to accept the COAs for ratification, seconded by Mr. Wilson. Motion carried unanimously.

Review of Reciprocity Applications – NCARB Certificate – Ratify Listing

Peyton Pond
Randall Vaughn
Richard Alderiso
Paul Orban
Martin Hill
Joseph Mackin, Jr.

Mr. Schorah made a motion, seconded by Ms. Happoldt to ratify the listing of NCARB certified architects. Motion carried unanimously.

Review of Direct Application by Reciprocity

Marvin Ginsberg: Proposal to Deny

Does not meet the NAAB Accredited Degree requirement, BS of Arch from NY Institute of Technology – Mr. Jennings reviewed the application for Mr. Ginsberg. Mr. Jennings advised that Mr. Ginsberg does not meet the degree requirement and suggested to propose to deny and send a letter to go the BEA route to certification. Mr. Schorah made a motion to propose to deny Mr. Ginsberg application as he does not meet the degree requirement, seconded by Ms. Happoldt. Motion carried unanimously.

Jose Reis: NY (by exam), NJ, PA, and FL: B Arch Degree from City College of NY

Mr. Wilson reviewed the application for Mr. Reis and advised that his application is in order as he met the degree requirement and all other requirements for licensure by reciprocity. Mr. Schorah made a motion to approve for licensure, seconded by Ms. Happoldt. Motion carried unanimously.

NCARB Spring Regional Meeting, March 10-12, 2011

Mr. Jennings advised that he will be attending the spring regional meeting and suggested the Board provide topics for discussion for him to share at the meeting. Ms. Happoldt advised to gather information from other states as to their enforcement strategies regarding complaints. Mr. Mateyko suggested discussing the topic of NCARB funding. Mr. Mateyko advised that he is sure that there will be an in-depth discussion on NCARB's financial budget planning. Mr. Wilson suggested discussing other state's standards in continuing education in respect to DE CE standards.

5.0 Other Business Before the Board (for discussion only)

There was no other business for discussion before the Board.

6.0 Public Comment

Ms. Payne advised the Board that there is a letter from the AIA education committee addressing the Board in regards to taking part of the ARE exams prior to completion of the

ARE. Mr. Freemark asked Ms. Williams what was the Board's last discussion on this matter. Ms. Williams advised that her recollection from the Board's discussion on this matter was that the Board was not allowing ARE candidates to take any portions of the ARE without full completion of the IDP. Mr. Freemark advised to place this topic on the April agenda. There was no further discussion.

7.0 Next Scheduled Meeting

The next meeting will be held on April 6, 2011 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

8.0 Adjournment

With no further business before the board, Ms. Happoldt made a motion to adjourn the meeting, seconded by Mr. Jennings. The motion carried unanimously. The meeting adjourned at 2:41 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams
Administrative Specialist II